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RCE

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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

ADDRESS TO: Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Application No.	09/040,161
Filing Date	March 17, 1998
First Named Inventor	Kornblith
Group Art Unit	1651
Examiner Name	Gitomer, R.
Attorney Docket No.	PTI-001CN

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

### 1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114

- a. ☐ Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.
- b. ☒ Consider the arguments in the Appeal Brief or Reply Brief previously filed on May 17, 1999 (not enclosed).
- c. ☒ Amendment/Response enclosed.
- d. ☐ Affidavit(s)/Declaration(s) enclosed.
- e. ☒ Information Disclosure Statement (IDS) enclosed.
  - i. ☒ PTO-1449 enclosed.
  - ii. ☒ Copies of IDS Citations enclosed.
- f. ☒ Other: Terminal Disclaimer enclosed.

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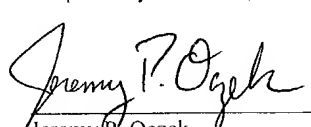
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### 2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114

- a. ☒ Small entity status
  - i. ☒ was established in the prior nonprovisional application.
  - ii. ☐ is established herewith by the enclosed written assertion of entitlement to small entity status.
- b. ☐ A Petition and Fee for Extension of Time for \_\_\_\_ months up to and including \_\_\_\_ is enclosed herewith.
- c. ☒ A check in the amount of \$ 440.00 is enclosed, which includes the required RCE fee of \$385.00.
- d. ☐ The Commissioner is hereby authorized to charge the required fee(s), i.e., \$ \_\_\_\_, to Deposit Account No. 20-0531.
- e. ☒ The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 20-0531.

### 3. MISCELLANEOUS

- a. ☒ Return Receipt Postcard enclosed.
- b. ☒ Other: Fee Transmittal.

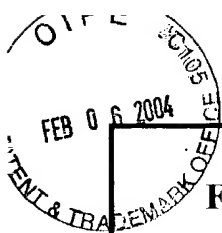
CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	Respectfully submitted,   Jeremy P. Occek Attorney for Applicant Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110  Date: February 6, 2004 Reg. No. 50,794 Tel. No.: (617) 310-8158 Fax No.: (617) 248-7100

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**FEE TRANSMITTAL**  
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Complete if Known	
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METHOD OF PAYMENT		FEE CALCULATION (Continued)																																																																
<b>1. <input checked="" type="checkbox"/> Payment Enclosed:</b> <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		<b>3. ADDITIONAL FEES</b>																																																																
<b>2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.</b> <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.		<table border="1"><thead><tr><th>Large Entity Fee (\$)</th><th>Small Entity Fee (\$)</th><th>Fee Description</th></tr></thead><tbody><tr><td>130</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr><tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr><tr><td>130</td><td>130</td><td>Non-English specification</td></tr><tr><td>2,520</td><td>2,520</td><td>Request for ex parte reexamination</td></tr><tr><td>110</td><td>55</td><td>Extension for reply within first month</td></tr><tr><td>420</td><td>210</td><td>Extension for reply within second month</td></tr><tr><td>950</td><td>475</td><td>Extension for reply within third month</td></tr><tr><td>1480</td><td>740</td><td>Extension for reply within fourth month</td></tr><tr><td>2010</td><td>1005</td><td>Extension for reply within fifth month</td></tr><tr><td>330</td><td>165</td><td>Notice of Appeal</td></tr><tr><td>330</td><td>165</td><td>Filing a brief in support of an appeal</td></tr><tr><td>290</td><td>145</td><td>Request for oral hearing</td></tr><tr><td>130</td><td>130</td><td>Petitions to the Commissioner</td></tr><tr><td>180</td><td>180</td><td>Submission of Information Disclosure Statement</td></tr><tr><td>770</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td></tr><tr><td>770</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td></tr><tr><td>100</td><td>100</td><td>Certificate of Correction for applicant's error</td></tr><tr><td>110</td><td>55</td><td>Submission of Terminal Disclaimer</td></tr><tr><td colspan="2">Other fee (Specify)</td><td>Request for Continued Examination (RCE)</td></tr><tr><td colspan="2">Other fee (Specify)</td><td></td></tr></tbody></table>		Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	130	65	Surcharge - late filing fee or oath	50	25	Surcharge - late provisional filing fee or cover sheet	130	130	Non-English specification	2,520	2,520	Request for ex parte reexamination	110	55	Extension for reply within first month	420	210	Extension for reply within second month	950	475	Extension for reply within third month	1480	740	Extension for reply within fourth month	2010	1005	Extension for reply within fifth month	330	165	Notice of Appeal	330	165	Filing a brief in support of an appeal	290	145	Request for oral hearing	130	130	Petitions to the Commissioner	180	180	Submission of Information Disclosure Statement	770	385	Filing a submission after final rejection (37 CFR 1.129(a))	770	385	For each additional invention to be examined (37 CFR 1.129(b))	100	100	Certificate of Correction for applicant's error	110	55	Submission of Terminal Disclaimer	Other fee (Specify)		Request for Continued Examination (RCE)	Other fee (Specify)		
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